

J620 Rec'd PCT/PTO 06 JUL 2005

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

International Application No. : PCT/EP2003/014539
International Filing Date : 18 December 2003 (18.12.2003)
Priority Date(s) Claimed : 07 January 2003 (07.01.2003)
Applicant(s) (DO/EO/US) : Valerie AUTIER, et al.

Title: KYNURENINE 3-HYDROXYLASE INHIBITORS FOR THE TREATMENT OF DIABETES

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

- ☒ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
 - ☒ within three months of the actual filing date of the national phase of a PCT application; OR
 - ☐ before the mailing of a first substantive office action (including after filing of an RCE).
- ☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
- a final rejection under 37 C.F.R. 1.113;
 - termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
 - a notice of allowance under 37 C.F.R. § 1.311; and

is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
 - ☐ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
- ☐ Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:
- ☐ a final action under 37 C.F.R. § 1.113;
 - ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);
 - ☐ OR a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

Statements Under 37 C.F.R. 1.97(e)

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. _____, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☒ Copies of materials listed but not attached were cited in an international search report dated May 28, 2004.
- ☐ Not required by 37 CFR § 1.98.
- ☐ Copies of the materials listed are attached (except for the foregoing).

Non-English Language References

- ☒ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).
- ☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:
- X = document of particular relevance when it is taken alone
Y = document of particular relevance when it is combined with another such document
A = document defining the general state of the art
O = non-written disclosure
P = intercalated document
T = document cited to understand the theory or principle underlying the invention
E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date
D = cited in the application
L = cited for another reason
& = publication of member of same patent family
- ☐ Translation of other relevant information on foreign search report

Other Information

Payment of Fees Due (If Any):


- ☐ A check for \$_____ covering the fee identified above is attached.
- ☐ Please charge to Deposit Account No. 13-3402 \$_____ for the fee identified above.

10/541377

JC20 Rec'd PCT/PTO 06 JUL 2005

☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit
Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



Anthony J. Zelano, Reg. No. 27,969
Attorney/Agent for Applicants

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1
2200 Clarendon Blvd. Suite 1400
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: MERCK-3028

Date: July 6, 2005

AJZ:ssr

JC20 Rec'd PCT/PTO 06 JUL 2005

Please type a plus sign (+) inside this box \rightarrow +

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO <h2 style="margin: 0;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="margin: 5px 0 0 40px;"><i>(use as many sheets as necessary)</i></p>				Complete if Known	
Sheet	1	of	2	Application Number	USNP of PGT/EP2008/014539
				Filing Date	18 December 2002 (18.12.2003)
				First Named Inventor	Valerie AUTIER, et al.
				Group Art Unit	unknown
				Examiner Name	unknown
				Attorney Docket Number	MERCK-3028

[illegible][illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JC20 Rec'd PCT/PTO 06 JUL 2003

Please type a plus sign (+) inside this box → ☐

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	USNR 65 PCT/EP 003/014539	
			Filing Date	10/5/2003 (18.12.2003)	
			First Named Inventor	Valerie AUTIER, et al.	
			Group Art Unit	unknown	
			Examiner Name	unknown	
Sheet	2	of	2	Attorney Docket Number	MERCK-3028

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	007	NAOKI ET AL.: "A NOVEL ENHANCER OF INSULINOTROPIC ACTION BY HIGH GLUCOSE (JTT-608) STIMULATES INSULIN SECRETION FROM PANCREATIC BETA CELLS VIA A NEW CELLULAR MECHANISM" JOURNAL OF PHARMACOLOGY AND EXPERIMENTAL THERAPEUTICS, vol. 297, no. 3, 2001, pages 953-960	
	008	OHTA, ET AL.: "JTT-608 CONTROLS BLOOD GLUCOSE BY ENHANCEMENT OF GLUCOSE-STIMULATED INSULIN SECRETION IN NORMAL AND DIABETES MELLITUS RATS" EUROPEAN JOURNAL OF PHARMACOLOGY, vol. 367, 1999, pages 91-99	
	009	SHIMIZU, MAKOTO ET AL.: "STANNOUS TRIFLATE PROMOTED REARRANGEMENT OF beta.-keto sulfoxides. SYNTHESIS OF 1,4-DIKETONES" CHEMISTRY LETTERS (1984) page 1531-1534	
	010	KUNKEL, ELISABETH ET AL.: "RING OPENING REACTIONS OF METHYL 2-SILOXYCYCLOPROPANECARBOXYLATES TO 4-OXOALKANOIC ACID DERIVATIVES" LIEBIGS ANNALEN DER CHEMIE (1984) page 804	
	011	MIYASHITA, MASAOKI ET AL.: "MICHAEL REACTION OF CONJUGATED NITRO OLEFINS WITH CARBOXYLIC ACID DIANION AND WITH ESTER ENOLATES: NEW SYNTHESIS OF gamma.-keto acids and gamma.-keto esters" JOURNAL OF ORGANIC CHEMISTRY (1984), pages 2857-63	
	012	MARCHAND, NATHALIE J. ET AL.: "SYNTHESIS AND REACTIVITY OF CROSS-CONJUGATED POLYENONES WITH A PLANAR CHIRALITY" JOURNAL OF ORGANIC CHEMISTRY (1996) pages 5063-5072	
	013	TIUS, MARCUS A. ET AL.: "SYNTHESIS OF (+.-)-xanthocidin" TETRAHEDRON (1996) pages 14651-14660	
	014	TSCHESCHE, RUDOLF ET AL.: "PTERIDINES. XIV. THE SYNTHESIS OF A UROTHION ANALOG WITH A METHYL SIDE CHAIN" CHEM. BER (1956) pages 89, 1054-64	
	015	REISSIG, HANS ULRICH ET AL.: "SELENYLATION, SULFENYLATION, AND AMINOMETHYLATION OF METHYL 2-SILOXYCYCLOPROPANECARBOXYLATES BY LEWIS ACID-INDUCED RING CLEAVAGE" LIEBIGS ANNALEN DER CHEMIE (1986) pages 1914-23	
	016	CONNICK ET AL.: "THE ROLE OF KYNURENINES IN DIABETES MELLITUS" MEDICAL HYPOTHESES, vol. 18, no. 4, 1985, pages 371-376	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.